IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 7TH FEBRUARY 2007 / 18TH MAGHA 1928

Bail Appl..No. 700 of 2007()

LP.61/2005 of J.M.F.C.-V,KOZHIKODE

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PETITIONER/ACCUSED:

M. SAHEEDA, W/O. M.P.MUHAMMED,
MOOTHEDATH PURACKAL HOUSE, THACHANNA, AREACODE,
MALAPPURAM DISTRICT.

BY ADV. SRI.BABU S. NAIR

RESPONDENT: STATE:

THE STATE OF KERALA,
REPRESENTED BY THE SUB INSPECTOR OF POLICE,
AREACODE POLICE STATION - THROUGH THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM, KOCHI-31.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 700 OF 2007

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DATED THIS THE 7th DAY OF FEBRUARY, 2007

O R D E R

Petitioner, a lady, who is the accused in a prosecution under section 138 of the Negotiable Instruments Act, 1881 and pending before the J.F.C.M.-V, Kozhikode as L.P.Case No.61/05, seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner before the Magistrate in the above case, non-bailable warrants of arrest are pending against the petitioner who has a grievance that she did not receive summons from the court. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the J.F.C.M.-V. Kozhikode and files an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed after examining the grievance of the petitioner that she did not receive summons in the case.

V.RAMKUMAR, JUDGE

dsn